

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CRAIG YOUNGBLOOD

Plaintiff,

v.

**LOCAL 513, TRANSPORT WORKERS
UNION OF AMERICA, AFL-CIO**

Defendant.

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Civ. Action No. 3:11-cv-0785-F

**JOINT MOTION
FOR SECOND EXTENSION OF THE REMAINING PRETRIAL DEADLINES
AND TO CONTINUE TRIAL SETTING**

Come now, Plaintiff Craig Youngblood (“Plaintiff” or “Youngblood”) and Defendant Local 513, Transport Workers Union of America, AFL-CIO (“Defendant” or “TWU 513”) (collectively “the Parties”), and jointly move to further modify the Court’s July 7, 2011 Scheduling Order (doc. 11) by extending for an additional four months beyond the extensions granted by this Court’s Order of February 28, 2012 (doc. 13) the deadlines to complete discovery and to file motions and by continuing the current trial setting of this case for four months, or to a date thereafter as the Court’s docket may accommodate. The extended dates requested are as follows:

1. Extend from July 20, 2012 through November 16, 2012 the deadline for completion of discovery;
2. Extend from August 17, 2012 through December 14, 2012 the deadline to file all pretrial motions, including dispositive motions, other than motions in limine;
3. Extend from October 19, 2012 through February 15, 2013 the deadline to file motions in limine; and

4. Continue the jury trial setting of this case from December 10, 2012 to April 15, 2013, or to such other date thereafter as the Court's docket may accommodate.

In support of this motion the Parties would respectfully show this Court as follows:

I.

Plaintiff's Complaint was filed on April 14, 2011 and Defendant's Answer was filed on June 6, 2011. The Parties have exchanged initial disclosures and have each served and responded to written discovery requests from the other. The Parties have continued to engage in follow-up discovery through informal requests and response. In addition, documents have also been subpoenaed from Youngblood's former employer, American Airlines, Inc. ("American"), a non-party, who initially objected to producing certain responsive documents without the entry of a protective order on terms American believed would protect the confidentiality of certain requested documents. The Parties thereupon negotiated the terms of a protective order, and upon American's agreement that the proposed order would provide for the protections it required, the Parties jointly moved (doc. 14) on May 16, 2012 for the entry of an Agreed Protective Order which the Court granted and entered on May 17, 2012 (doc. 15). In part due to the pressures incident to American's bankruptcy filing, American has yet to produce to the Parties the documents responsive to the subpoena, but the Parties are advised that American is now in the process of identifying the responsive documents and preparing them for production. Believing American to be making a good faith effort to respond to the subpoena, considering the circumstances presented by its bankruptcy, the Parties have allowed American leeway in the timing of its production, which the Parties are advised should be made no later than the end of June, 2012. Additional discovery, particularly the taking of depositions, logically must await production and review of the documents to be produced by American.

II.

The Parties have diligently pursued discovery in this case, first by exchanging written discovery requests, followed by informal requests for documents and information, and then by seeking documents via subpoena from third party, American. However, because of the need to first obtain the documents from American before proceeding with the next phase of discovery through the taking of depositions, the Parties believe that an additional four months beyond the current July 20, 2012 deadline will be needed to complete discovery. Upon obtaining the subpoenaed documents from American, Defendant plans to take the deposition of Plaintiff and Plaintiff plans to take the depositions of representatives of Defendant. It is also likely that depositions will be taken of representatives of American. Upon completion of this discovery, Defendant intends to file a motion for summary judgment, which Plaintiff intends to oppose. In order to provide for the orderly pretrial prosecution and defense of this case, the Parties believe that a second extension of the remaining pretrial deadlines and trial setting for an additional four months beyond the extended dates and trial setting established by the Court's Order of February 28, 2012 (doc. 13) is justified and is an appropriate use of the Parties' resources and of the judicial resources of this Court.

WHEREFORE, the Parties jointly request that the Court grant this motion and enter an order extending the discovery and motions deadlines for four additional months to the dates as requested above and that this case be continued off the Court's December 10, 2012 docket to be reset four months hence on April 15, 2013, or on such date thereafter as the Court's docket may accommodate.

Dated: June 12, 2012

Respectfully Submitted,

s/David Stanley Jones (signed by S. Denison w/permission)

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COUNSEL FOR DEFENDANT LOCAL 513,

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AMERICA, AFL-CIO

CERTIFICATE OF CONFERENCE

The undersigned counsel for Defendant TWU 513 certifies that on June 4, 2012 he was contacted by counsel for Plaintiff Craig Youngblood to request that Defendant TWU 513 agree to jointly move the Court for an additional extension on the remaining pretrial deadlines and on the current trial setting. In subsequent oral discussions and email exchanges counsel for Plaintiff and Defendant agreed to jointly move the Court to extend the existing pretrial deadlines for four additional months and on June 11, 2011 further reached agreement on the form and content of this joint motion. Undersigned counsel for Defendant has been authorized by counsel for Plaintiff to sign his name with permission to this joint motion and to file it, indicating that all Parties (Plaintiff and Defendant) are in agreement and request that the Court grant the requested extensions and trial resetting.

s/ Sanford R. Denison

SANFORD R. DENISON

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of June, 2012 I electronically filed the forgoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the below listed counsel or record for Plaintiff by electronic means.

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s/ Sanford R. Denison
SANFORD R. DENISON